

CITY OF CARMEL-BY-THE-SEA RESPONSES TO THE 2000 MONTEREY
COUNTY GRAND JURY FINAL REPORT (JANUARY 2, 2001)

DOMESTIC VIOLENCE INFORMATION

The 2000 Grand Jury's goal was to determine the current status of compliance with domestic violence information availability. The City of Carmel-by-the-Sea generally agrees with the factual FINDINGS of the 2000 Grand Jury, however take no position on the editorial commentary contained within many of those findings that is not supported by empirical data.

FINDINGS

1. All 12 police stations, as well as the Sheriff's Department, were in general compliance with the 1996 Grand Jury recommendations that domestic violence information be readily available. However, the type of materials offered varied widely at each location, as did the level of accessibility visitors had to the information.

Response: The City of Carmel-by-the-Sea agrees with this finding. This agreement refers only to Carmel-by-the-Sea efforts in this regard and makes no comment on other agencies. We note here that our information is available to the public 24 hours a day. We offer the California Attorney General's "Domestic Violence Handbook" (quoted in the 2000 Grand Jury report) printed in both English and Spanish. Additionally, the Domestic Violence pamphlet produced by the Domestic Violence Coordinating Council of Monterey County is also readily available in both English and Spanish.

2. Based on the data gathered by the 2000 Grand Jury, a relatively small number of citizens picked up domestic violence materials at police stations. Walking into a police station may be intimidating to many individuals who are in need of information. The Grand Jurors were further informed by most jurisdictions that officers responding to a domestic violence call always carry written information about a victim's legal rights and available resources for assistance. Unfortunately, by the time an officer responds to a domestic violence call, the brochure provided at the incident is after the fact.

Response: The City of Carmel-by-the-Sea agrees with this finding.

3. Some smaller community police stations and the Sheriff's sub-stations, do not have seven-day-a-week, 24 hour-a-day access to provide availability of materials. One small Monterey Peninsula police station provided 24 hour-a-day access to domestic violence materials through a covered receptacle located outside the station. Civilian staff at the station reported this receptacle is replenished more frequently than the one inside.

Response: The City of Carmel-by-the-Sea agrees with this finding. In agreeing, we note that access to the information is available 24 hours-a-day, 7 days-a-week at the Carmel-by-the-Sea Police Department.

*4. Not all law enforcement agencies claimed to have a special unit of a specific officer in charge of domestic violence. But each indicated that **MOST** (emphasis added) officers were trained in domestic violence issues.*

Response: The City of Carmel-by-the-Sea partially disagrees with this finding Penal Code section 13519 requires **ALL** peace officers to be trained in domestic violence issues. The Carmel-by-the-Sea Police Department is in compliance with the law.

5. Children of all ages from all socio-economic and cultural backgrounds may routinely witness domestic violence in their homes. The California Attorney General's Office publication, "Domestic Violence Handbook - A Survivor's Guide (p. 7), reports that, "While domestic violence is not hereditary, it has been shown to be learned behavior and is often handed down from one generation to the next". Physical assault within the family can become accepted as a normal part of life and may not even be recognized as a crime by some men and women. Children from these homes need help in developing life management skills that may prevent them from becoming abusers or the abused in their teen or adult life.

Response: The City of Carmel-by-the-Sea agrees with this finding.

7. The Correctional Training Facility at Soledad donated the first printing of the domestic violence information brochure created by the Coordinating Council. At that time, the brochures were distributed in quantity to law enforcement agencies and related non-profit service providers. In addition to an initial stock of brochures, each agency was provided a camera-ready master to be used to replenish the supply as needed within each individual organization. The Coordinating Council is a non-funded agency and, as such, has no budget for printing and distributing brochures on a regular basis. Therefore, it becomes the responsibility of each distributing agency to provide copies of the brochure.

Response: The City of Carmel-by-the-Sea agrees with this finding.

RECOMMENDATIONS

1. Each police station and the Sheriff's Department review its policies and procedures to ensure the availability of, and easy access to, domestic violence information for the general public. Further, efforts be made to standardize the compliance criteria among all law enforcement departments to meet the requirements of the Penal Code to a far greater extent.

Response: The City of Carmel-by-the-Sea has implemented the first part of this recommendation but will not implement the second part because it is not reasonable for the City of Carmel-by-the-Sea to do so. We have reviewed the policies, availability, and ease of access to domestic violence information and find we are satisfied with our effort.

The "further effort" to "standardize the compliance criteria among all law enforcement departments..." is beyond the authority of the City of Carmel-by-the-Sea. However, we will ask our Police Chief to bring this matter before the Monterey County Chief Law Enforcement Officer's Association for further discussion.

2. Law Enforcement agencies, domestic violence resource agencies, and the Board of Supervisors through the domestic Violence Coordinating Council of Monterey County, look at additional sites to distribute domestic violence information. To the degree possible, considering resources available, the 2000 Grand Jury supports increased effort in making information available at locations such as walk-in clinics, drug stores pharmacy counters, post offices, libraries, and other suitable venues visited by local citizens on a regular basis. Such availability could increase the probability of getting information into the right hands before serious domestic violence problems develop or escalate.

Response: The recommendation requires further analysis. The City of Carmel-by-the-Sea will review this recommendation with the Police Chief and ask the Chief to suggest places within our City that may be willing to distribute domestic violence information. Once the Chief has completed the review and reported findings to the City Council, we will provide direction as appropriate. We believe this can be accomplished within six months.

3. Police stations that do not have 24-hour inside access to available materials provide an outside receptacle such as a metal box or protected display rack clearly marked to contain domestic violence information. As some may feel too intimidated to enter the police station to request information, an outside container may provide increased access to all segments of society.

Response: The recommendation has been implemented. The Police Department of the City of Carmel-by-the-Sea provides 24 hour lobby access to its citizens therefore are not covered by this recommendation.

4. While not all police stations are large enough to have a specific unit dedicated to domestic violence, one officer be designated and trained as the expert on domestic violence. Such an expert could oversee ongoing training of the police force and offer detailed attention to the important issues of domestic violence.

Response: The recommendation has been implemented. The Police Lieutenant in the Carmel-by-the-Sea has the special training to be considered our expert.

5. Existing programs that educate children about domestic violence be emphasized and expanded to protect and reach more of them at an earlier age to help break the cycle of violence. Programs that focus on strengthening interpersonal relationships and developing a capacity for tolerance and respect for self and others are needed at every grade level within our community schools. The 2000 Grand Jury further recommends law enforcement use their interactions with school age children as opportunities to include advice and counsel on the subject of domestic violence.

Response: The recommendation has been implemented. Each year, the Carmel-by-the-Sea Police Department conducts a 17 week educational program in our school. This program includes, among other subjects, the importance of reporting violent acts wherever they occur. The program incorporates four weeks of child safety classes presented to students from kindergarten through fourth grade. Violence avoidance techniques are stressed during class presentations.

7. Each police station, Sheriff's Department substations, and all other agencies providing the Council's domestic violence brochure as a resource verify the advisability of an adequate supply. In addition, each site should determine that a master copy was, in fact, received, is available, and if not, contact the Council to obtain a new master to insure a future supply of brochures.

Response: The recommendation has been implemented. The City of Carmel-by-the-Sea has verified an adequate supply of the brochure. There is a master copy in the files at the Police Department that can be used to make additional brochures as needed.